

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KATHRYN TOWNSEND GRIFFIN, HELEN :  
MCDONALD, and THE ESTATE CHERRIGALE :  
TOWNSEND, :  
:

Plaintiffs, :

-against- :

EDWARD CHRISTOPHER SHEERAN, p/k/a ED :  
SHEERAN, ATLANTIC RECORDING :  
CORPORATION d/b/a ATLANTIC RECORDS, :  
SONY/ATV MUSIC PUBLISHING, LLC and :  
WARNER MUSIC GROUP CORPORATION :  
d/b/a ASYLUM RECORDS, :

Defendants. :

Docket No. 17-cv-5221 (RJS)

**DECLARATION OF**  
**PATRICK R. FRANK**  
in Opposition to Defendants'  
Eight Motion *in Limine*

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Patrick R. Frank declares that the following statements are true:

1. I am a partner at Frank & Rice, P.A., counsel(s) for the Plaintiffs in this action. I have personal knowledge of, and am fully familiar with, the facts set forth in this Declaration. I respectfully submit this Declaration in opposition to Defendants' Eighth Motion *in Limine*, seeking to exclude evidence relating to the key signature of "Let's Get It On", evidence contemplating comparisons between the deposit copy of "Let's Get It On" and the sound recording of "Let's Get It On", evidence pertaining to the bass and drum lines of "Thinking Out Loud", and Plaintiffs' proposed Exhibits 103, 108, and 128.

2. Annexed as **Exhibit "1"** is a true copy of the *Rule 26* Report of Dr. Alexander Stewart, attendant to this litigation.

3. Annexed as **Exhibit "2"** is a true copy of Page Fifteen (15) of the Deposition of the Defendant, Ed Sheeran, attendant to this litigation.

I declare under penalty of perjury under the laws of the United States of America that the

foregoing is true and correct.

Dated: March 29, 2023

A handwritten signature in black ink, appearing to be 'P. S.', written above a horizontal line.

PATRICK FRANK